

SNAPSHOT ZIMBABWE SANCTIONS REGIME

Why are sanctions imposed?

Australia imposed autonomous sanctions in relation to Zimbabwe in 2002, reflecting concerns about political violence and human rights violations. The sanctions were adjusted in 2012 and 2013 in response to some progress.

What is prohibited by the Zimbabwe sanctions regime?

The Zimbabwe sanctions regime imposes the following sanctions measures:

Measure	UNSC	Autonomous
restrictions on supplying arms and related services		✓
restrictions on providing assets to designated persons or entities		✓
restrictions on dealing with the assets of designated persons or entities		✓
travel bans on designated persons.		✓

Restrictions on supplying arms and related services

The Zimbabwe sanctions regime imposes an arms embargo. It is prohibited to:

- directly or indirectly supply, sell or transfer arms or related matériel to Zimbabwe
- provide a service if it relates to the supply of arms or related matériel to Zimbabwe
- provide a service to Zimbabwe, or for use in Zimbabwe, which relates to:
 - a military activity
 - the manufacture, maintenance or use of arms or related matériel.

Arms or related matériel includes, but is not limited to, weapons, ammunition, military vehicles and equipment, and spare parts and accessories for any of those things. It also includes paramilitary equipment. While each case will be considered individually, goods on the <u>Defence and Strategic Goods List</u> are likely to be considered arms or related matériel. Depending on the context, end-user and end-use, other goods may also be considered arms or related matériel.

Restrictions on providing assets to designated persons or entities

The Minister for Foreign Affairs has designated persons and entities which are or have engaged in activities that seriously undermine democracy, respect for human rights or the rule of law in Zimbabwe. It is prohibited to directly or indirectly make an asset available to (or for the benefit of) a designated person or entity.

Restrictions on dealing with the assets of designated persons or entities (requirement to freeze assets)

It is prohibited to use or deal with an asset, or allow or facilitate another person to use or deal with an asset, if the asset is owned or controlled by a designated person or entity (the assets are 'frozen' and cannot be used or dealt with).

An 'asset' includes an asset or property of any kind, whether tangible or intangible, movable or immovable. The <u>Consolidated</u> <u>List</u> available on DFAT's website includes the names of all designated persons and entities.

Travel bans

All persons designated for the Zimbabwe sanctions regime are prohibited from transiting through or entering Australia.

Who must comply with sanctions?

Australian sanctions laws apply to activities in Australia and to activities undertaken overseas by Australian citizens and Australian-registered bodies corporate.

In some circumstances, it may be possible to obtain a permit from the Minister for Foreign Affairs to engage in an activity that would otherwise be prohibited by a sanctions measure. Information on planning an activity and submitting an application for a sanctions permit is available on the DFAT website. Information on planning an activity and submitting an application for a sanctions permit is available on the DFAT website.

It is a serious criminal offence to contravene a sanctions measure (or a condition of a sanctions permit). The penalties include up to ten years in prison and substantial fines.

Relevant legislation

The relevant legislation for the Zimbabwe sanctions regime includes the following:

- Autonomous Sanctions Act 2011
- Autonomous Sanctions Regulations 2011
- Customs (Prohibited Exports) Regulations 1958
- Autonomous Sanctions (Designated and Declared Persons Zimbabwe) List 2012
- Migration Regulations 1994

Where can I get more information?

More information on Australia's sanctions can be found on DFAT's website: https://dfat.gov.au/international-relations/Pages/sanctions.aspx.

Enquiries can be made to DFAT by emailing sanctions@dfat.gov.au.

DFAT maintains a mailing list for people interested in receiving updates on Australian sanctions laws. You can subscribe to this list via the <u>DFAT website</u>.

This document provides a summary only of relevant sanctions laws. It should not be relied upon as a substitute for legal advice. It is your responsibility to ensure you do not contravene sanctions law, including by obtaining your own legal advice.